

IN RE: PETITION FOR VARIANCE
SW/S Tollgate Road at
W/S Chins Court
(235 Tollgate Road)
4th Election District
3rd Councilmanic District

Mt. Pleasant A.M.E. Church
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-136-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 235 Tollgate Road, located in the vicinity of Pleasant Hill Road in Owings Mills. The Petition was filed by the owner of the property, Mt. Pleasant A.M.E. Church, by Clifton E. Sparrow, Pastor, through their attorney, Judy Grier Smylie, Esquire. The Petitioner seeks relief from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 14 feet in lieu of the required 30 feet, and from Section 409.6.A.4 of the B.C.Z.R. to permit 29 parking spaces in lieu of the minimum required 43 for a proposed church reconstruction. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Pastor Sparrow and Judy Grier Smylie, Esquire, attorney for the Petitioner. Several other individuals There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.00 acres, more or less, zoned D.R. 3.5. The property had been the site of the Mt. Pleasant AME Church and accessory cemetery for the past 125 years until destroyed by fire in December 1994. The congregation is desirous of reconstructing the church on its original building

ORDER RECEIVED FOR FILING

Date

By

footprint and utilizing the existing parking configuration, as they have done so for the past 125 years. Due to the location of the existing footprint and the fact that a portion of the property was taken by the State Highway Administration (SHA) for construction of the Northwest Expressway (I-795), the requested variances are necessary. Further testimony revealed that the existing parking configuration has worked well for many years and has not caused any adverse effect to the surrounding locale. This is evidenced by the fact that no one from the surrounding community appeared in opposition to the Petitioner's request. Thus, it appears the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

ORDER RECEIVED FOR FILING
Date 11/27/95
By [Signature]

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of November, 1995 that the Petition for Variance seeking relief from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 14 feet in lieu of the required 30 feet, and from Section 409.6.A.4 of the B.C.Z.R. to permit 29 parking spaces in lieu of the minimum required 43 for a proposed church reconstruction, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 27, 1995

Judy Grier Smylie, Esquire
P.O. Box 21333
Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE
SW/S Tollgate Road at W/S Chins Court
(235 Tollgate Road)
4th Election District - 3rd Councilmanic District
Mt. Pleasant A.M.E. Church - Petitioner
Case No. 96-136-A

Dear Ms. Smylie:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Rev. Clifton E. Sparrow
3 Main View Court, Randallstown, Md. 21133

People's Counsel

File

RECEIVED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

235 Tollgate Road

96-136-A

which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

- (1) 1.B01.2C1a to permit a rear yard of 14 feet instead of the required 30 feet.
 - (2) 409.6A4 to permit 29 parking spaces instead of the required 43.
- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

(1) Hardship caused by the State Highway Administration acquisition of land for the Northwest Expressway.

(2) Practical difficulty in complying with the requirement.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Judy Grier Smylie, Esq.

(Type or Print Name)

Signature

P.O. Box 21333

(410) 750-6186

Address

Baltimore

Phone No.

MD

21208

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): MT. PLEASANT A.M.E. Church

Mt. Pleasant A.M.E. Church

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

3 MAINVIEW CT

655-5892

Phone No

City

Address

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

Printed with Soybean Ink
on Recycled Paper

ACCEPTED
PER AJ

ORDER RECEIVED FOR FILING

Date

DROP-OFF
NO REVIEW

9/22/95

WCR



135



Alexander P. Ratych, Prof. L.S.
Paul K. Frasse, R.E.
Paul A. Ratych, Prop. L.S.
John S. Smith, P.E.

ZONING DESCRIPTION

96-136-A

BEGINNING FOR THE SAME at a point in or near the centerline of Tollgate Road as proposed to be widened to a width of 60' feet and in line with a gusset line connecting the Southerly side of said Tollgate Road as proposed to be widened with the West side Chins Court, 40' feet wide, as shown on the plat of Parcel 2, Crosby Hill, recorded in Plat Book E.H.K. Jr. 55, Folio 94; thence leaving Tollgate Road and running South 19 degrees 57 minutes 43 seconds West 96.26 feet; North 84 degrees 29 minutes 49 seconds West 295.73 feet; North 16 degrees 25 minutes 58 seconds East 69.65 feet; North 84 degrees 38 minutes 08 seconds West 10.38 feet and North 18 degrees 36 minutes 30 seconds East 144.37 feet to a point in the bed of Tollgate Road; thence running in the bed of Tollgate Road South 51 degrees 45 minutes 00 seconds East 84.02 feet and South 66 degrees 16 minutes 11 seconds East 224.82 feet to the point of beginning; containing 1.00 acres more or less.

Also known as 235 Tollgate Road and located in the Fourth Election District of Baltimore County.

08/07/95

ZDTOLL.DSC



7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

154319
DROP-OFF PETITION
NO REVIEW

DATE

9/25/95

ACCOUNT

96-136-A
001-6150

ITEM #135

AMOUNT \$

285.00

(WCR)

RECEIVED
FROM:

Judy Grier Smylie

#020 - VARIANCE - \$250.00
#080 - POSTING - \$35.00

TOTAL = \$285.00

FOR:

235 Tollgate Road

\$285.00

03403#0387MICHRC

DA 10117201N00 25 95

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 409 Washington Avenue, Towson, Maryland 21204 as follows:

Case #98-138-A
(Item 138)
235 Tolgate Road
Mount Pleasant AME Church
SW/S Tolgate Road,
corner W/S Gills Court
4th Election District
3rd Councilmanic
Legal Owner(s):
Mt. Pleasant AME Church

Variance: to permit a rear yard of 14 feet instead of the required 30 feet; and to permit 29 parking spaces instead of the required 43.

Hearing: Thursday, November 9, 1995 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations. Please Call 887-3383.
(2) or information concerning the file and/or Hearing, Please Call 887-3391.

10/21/95 Oct. 19.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/23, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/19, 1995.

THE JEFFERSONIAN,

A. H. Ennis
LEGAL AD. - TOWSON

TO: PUTUMENT PUBLISHING COMPANY

October 19, 1995 Issue - Jeffersonian

Please forward billing to:

Judy Grier Smylie, Esq.

P. O. Box 21333

Baltimore, MD 21208

750-6186

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-136-A (Item 135)

235 Tollgate Road

Mount Pleasant AME Church

SW/S Tollgate Road, corner W/S Chins Court

4th Election District - 3rd Councilmanic

Legal Owner: Mt. Pleasant A.M.E. Church

Variance to permit a rear yard of 14 feet instead of the required 30 feet; and to permit 29 parking spaces instead of the required 43.

HEARING: THURSDAY, NOVEMBER 9, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-136-A (Item 135)
235 Tollgate Road
Mount Pleasant AME Church
SW/S Tollgate Road, corner W/S Chins Court
4th Election District - 3rd Councilmanic
Legal Owner: Mt. Pleasant A.M.E. Church

Variance to permit a rear yard of 14 feet instead of the required 30 feet; and to permit 29 parking spaces instead of the required 43.

HEARING: THURSDAY, NOVEMBER 9, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Mt. Pleasant A.M.E. Church
Judy Grier Smylie, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 2, 1995

Judy Grier Smylie, Esquire
P. O. Box 21333
Baltimore, Maryland 21208

RE: Item No.: 135
Case No.: 96-136-A
Petitioner: Mt. Pleasant A.M.E.
Church

Dear Ms. Smylie:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 26, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 235 Tollgate Road

INFORMATION:

Item Number: 135

Petitioner: Mt. Pleasant A.M.E. Church

Property Size: _____

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The letter of September 25, 1995 from Judy Grier Smylie, attorney for the Petitioner, provides a comprehensive explanation of the obvious hardships in this case and the proposed mitigation efforts related to the parking variance. Based upon a review of the information provided and analysis conducted, this office supports the requested relief that would enable the Mt. Pleasant A.M.E. congregation to reconstruct their church which was destroyed as a result of arson.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Oct. 18, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for October 16, 1995
Item No. 135

The Development Plans Review Division has reviewed the subject zoning item. The proposed parking layout is not acceptable, and granting the requested parking variance is going to negatively impact the neighborhood. In addition, this site is not subject to the Landscape Manual requirements.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

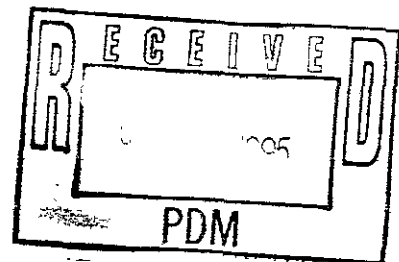
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 135, 136, 137, 138, 139,
140, 141, 142 AND 144. 8



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-10-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 135 (WICK/A)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1995

Judy Grier Smylie, Esquire
P.O. Box 21333
Baltimore, MD 21208

RE: Preliminary Petition Review (Item #135)
Legal Owner: Mt. Pleasant AME Church
235 Tollgate Road
4th Election District

Dear Ms. Smylie:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Zoning classification missing from petition form.
2. The setback request from Section 1801.2.C.1.a is illegible.
3. The orientation of the church (front) should be shown on the plan.
4. "Stadium parking" is not permitted without a variance.
5. The two-way travel lanes are of deficient width (Section 409.4.C). Variances are indicated.

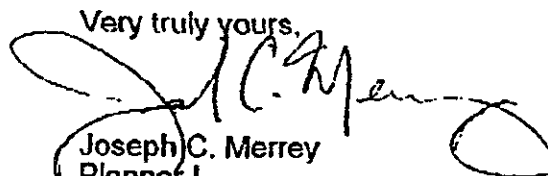


Judy Grier Smylie, Esquire
October 18, 1995
Page 2

6. The D.R.-3.5 zone permits cemeteries by special exception or as legal non-conforming uses (special hearing). If the parking area has changed as a result of this petition plan on the cemetery parcel (232/193), additional relief may be indicated.
7. A variance appears to be needed on the southeast corner of the building to the division line (N 48 degrees 38' 08" W 10.38") that separates the property the church is on and the property that supports the cemetery.
8. Need printed title of person signing for the legal owner on the petition form.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,


Joseph C. Merrey
Planner I
Zoning Review

JCM:scj

Enclosure (receipt)

c: Zoning Commissioner

RECEIVED

JUDY GRIER SMYLIE
Attorney at Law

Post Office Box 21333
Baltimore, MD 21208

(410) 750-6186
(410) 523-8750
Facsimile (410) 655-3775
September 25, 1995

Zoning Commissioner of
Baltimore County
Towson, MD 21204

Dear Sir:

I am writing in support of the Petition for Zoning Variance filed by Mt. Pleasant A.M.E. Church. Mt. Pleasant is a historic African-American place of worship which has occupied the same location in Baltimore County since the mid-1800's. Unfortunately, the church was destroyed as a result of arson. The congregation is currently in the process of rebuilding on the same site.

Because of site constraints, the church has filed a petition to address two particular issues. The first is the dimensions of the rear yard. The petition seeks a rear yard of 14 feet instead of the required 30 feet. The request was necessitated by the acquisition of a portion of the Church's land to construct the Northwest Expressway. But for that acquisition and subsequent construction, the Church would have adequate property to satisfy the requirement. The second issue addressed in the petition is the on-site parking requirements. The church seeks to satisfy the requirement by the use of so called "stadium parking." The church has utilized such an arrangement in the past to facilitate the parking needs of its parishioners. The arrangement was successful since an attendant was always present to assist in parking and in allowing persons to leave. In addition, the Church has received permission from an adjacent property owner to utilize a portion of his property for overflow parking.

In light of these considerations, Mt. Pleasant A.M.E. Church requests the requested Variance be granted.

Sincerely,

Judy G. Smylie

Judy G. Smylie, Esq.
Counsel

Mt. Pleasant A.M.E. Church

RECORDED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jenna Clark Greshy
Alberta Clark Jones
Warner Clark
Sarah A. Thomas
Claire W. Speer
KEN TRIONFO
Lynwood Johnson
Rev. Chilton Sparrow

Watermill Cplx Curing Mills
MD 21117
32 Brooksbury Dr. Reisterstown
305 New Ave., Reisterstown
8116 Arrowhead Rd Baltimore MD 21280
53 Featherbed Lane Oving Mill MD
21117
RR 4 BOX 4169 STEWARTSTOWN PA
PLANNING OFFICE
3111 NEW CT BALTIMORE MD 21137



TENNIS
COURTS

D.R. 3.5

96-136-A

D.R. 3.5

TOLLGATE

EXPRESSWAY

MT. PLEASANT
CHURCH

CEMETERY

SITE

135

ML-1M

D.R. 3.5

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

G. SCOTT BARHIGHT
DIRECT NUMBER
410 852-2050
2029522@mcimail.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 856-5742
FAX 703 856-0265

May 21, 1997

VIA HAND-DELIVERY

Mr. Arnold Jablon, Director
Office of Zoning Administration and Development Management
County Office Building, Room 19
111 West Chesapeake Avenue
Towson, Maryland 21204

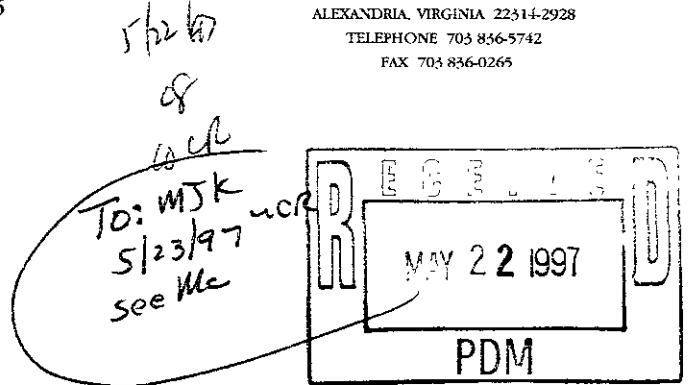
Re: **Worthington Heights Organization, Inc. - Minor Subdivision
Plan Approval for "Ridge View" (96-136-M)**

Dear Mr. Jablon:

This letter is to request confirmation that Worthington Heights Organization, Inc. ("Worthington") has vested its rights in the approved Forest Conservation and Minor Subdivision Plan ("Subdivision Plan") for the subdivision known as "Ridge View." "Ridge View" consists of approximately 19.524 acres, located in the vicinity of Cuba Road and Worthington Heights Parkway in Baltimore County. Worthington filed its Subdivision Plan in order to subdivide the subject 19.524 acres into three residential lots and a forest conservation area. The Subdivision Plan was approved by PDM on November 27, 1996, and by DEPRM on December 2, 1996. The Subdivision Plan is exempt from Division 2 of the Baltimore County Development Regulations.

When Worthington filed its Subdivision Plan, the subject property was zoned R.C. 4. Pursuant to the 1996 Comprehensive Zoning Map Process, the subject property was downzoned to R.C. 2. The R.C. 2 zoning classification became effective on December 2, 1996. On November 27, 1996, however, prior to the comprehensive re-zoning on the subject site, Worthington obtained a building permit from the Department of Permits and Development Management. See Building Permit; attached hereto as Exhibit A.

97-2468
No check



Mr. Arnold Jablon, Director

May 21, 1997

Page 2

Additionally, Worthington recorded the deeds to the forest conservation easement and the three lots created by the approved subdivision plan. *See* Deeds to Lots 1, 2, & 3, and the Declaration of the Forest Conservation Easement; attached hereto as Exhibit B. The Subdivision Plan was attached as an exhibit to the recorded easement and each of the three recorded deeds.

In order to vest its Subdivision Plan, Worthington obtained a building permit pursuant to § 26-216(c)(1) of the Baltimore County Code. That subsection provides that "[a] subdivision, section, or parcel thereof is defined as developed and is therefore considered to be vested if any of the following has occurred with respect to such subdivision, section or parcel: (1) Building permits have been issued;"

It is my understanding that, pursuant to § 26-216(c)(1), Worthington has vested its rights in its Subdivision Plan by obtaining a building permit. It is also my understanding, therefore, that the 1996 Comprehensive Rezoning Process which downzoned the subject property from R.C. 4 to R.C. 2 did not affect the approved Subdivision Plan for Ridge View. Enclosed is a check of \$40.00 as the fee for this request. At your earliest convenience, please confirm our understanding that the Subdivision Plan has been vested. Thank you for your consideration of this question. If you have any questions or comments, please feel free to contact me.

Sincerely,



G. Scott Barhight

GSB:jdW

cc: Mr. Michael Russell

Attachments

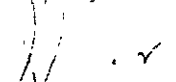
106670

Additionally, Worthington recorded the deeds to the forest conservation easement and the three lots created by the approved subdivision plan. *See* Deeds to Lots 1, 2, & 3, and the Declaration of the Forest Conservation Easement; attached hereto as Exhibit B. The Subdivision Plan was attached as an exhibit to the recorded easement and each of the three recorded deeds.

In order to vest its Subdivision Plan, Worthington obtained a building permit pursuant to § 26-216(c)(1) of the Baltimore County Code. That subsection provides that "[a] subdivision, section, or parcel thereof is defined as developed and is therefore considered to be vested if any of the following has occurred with respect to such subdivision, section or parcel: (1) Building permits have been issued; . . ."

It is my understanding that, pursuant to § 26-216(c)(1), Worthington has vested its rights in its Subdivision Plan by obtaining a building permit. It is also my understanding, therefore, that the 1996 Comprehensive Rezoning Process which downzoned the subject property from R.C. 4 to R.C. 2 did not affect the approved Subdivision Plan for Ridge View. Enclosed is a check of \$40.00 as the fee for this request. At your earliest convenience, please confirm our understanding that the Subdivision Plan has been vested. Thank you for your consideration of this question. If you have any questions or comments, please feel free to contact me.

Sincerely,


G. Scott Barhight

GSB:jd

cc: Mr. Michael Russell

Attachments

106670


May 30, 1997

8th Election District

Dear Mr. Barhight:

Please be advised that your interpretation of the vesting of the subject minor subdivision is correct. Since the minor subdivision was approved and a building (grading) permit issued both by Permits and Development Management before the R.C.-2 zoning became effective, the subdivision is vested.

Very truly yours,


Mitchell J. Kellman
Planner II
Zoning Review

MJK:rye

c: 96-136-M

**Speed
Letter**

In the interest of speed and economy, we are relying on your letter with original notes. If you need more information, do not hesitate to write. Thank you for your interest.



**BALTIMORE COUNTY, MARYLAND**

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

DIRECTOR**BUILDING PERMIT**
BUILDINGS ENGINEERPERMIT #: B290019 CONTROL #: GR DIST: 03 PREC: 02
DATE ISSUED: 11/27/96 TAX ACCOUNT #: 2206021144 CLASS: 04PLANS: CONST 0 PLOT 4 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 1506-10 WORTHINGTON HEIGHTS PKWY
SUBDIVISION: 2700FT E CUBA RD**OWNERS INFORMATION**NAME: WORTHINGTON HEIGHTS ORGANIZATION INC
ADDR: 6 STILLWAY CT COCKEYSVILLE, MD 21030**TENANT:**

CONTR: TO BE DETERMINED

ENGR:**SELLR:**WORK: GRADE 10,000SF OF DISTURBED AREA FOR DRIVEWAYS
FOR FUTURE SFD'S. PERMIT EXPIRES TWO YEARS
FROM DATE OF ISSUE.

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: GRADING FOR FUTURE SFD'S
6,000.00 EXISTING USE: VACANT

TYPE OF IMPRV: OTHER

USE: OTHER - RESIDENTIAL

FOUNDATION:

SEWAGE: PRIV. PROPOSED

BASEMENT:

WATER: PRIV. PROPOSED

LOT SIZE AND SETBACKS

SIZE: 19.52AC

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC

SIDE STR SETB:

REAR SETB: NC

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

0011917 2

Return to JAMES H. YANORSON
400 E. Joppa RD
TOWSON, MD 21286

DEED

THIS DEED, dated *26th*, 1996, from WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantor, to WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantee.

The Grantor, for a consideration of ZERO Dollars (\$-0-) grants, conveys and assigns to the Grantee it's successors and assigns, in fee simple, the real property located in Baltimore County, Maryland, and described as follows:

LOT 3, RIDGE VIEW, A MINOR SUB-DIVISION

For description, see Schedule "A" attached hereto and made a part hereof.

Being part of the same property described in the Deed dated August 26, 1994., and recorded among the Land Records of Baltimore County in Liber S.M. No. folio 10742 from 370 to the Grantor.

The undersigned officer certifies this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of Grantor.

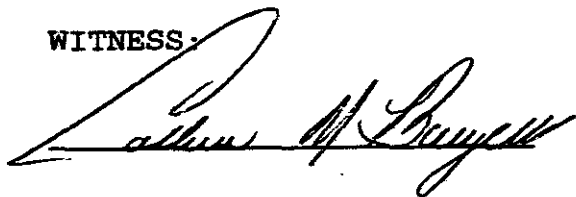
Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property hereby conveyed unto the Grantee, it's successors and assigns', in fee simple, forever.


The Grantor covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has caused this Deed to be duly executed on its behalf by the duly authorized [Vice] President.

WITNESS:



WORTHINGTON HEIGHTS
ORGANIZATION, INC., Grantor

By:  (SEAL)
MICHAEL E. RUSSELL
President

State of Maryland Baltimore County, to wit:

I HEREBY CERTIFY that on November *26th*, 1996, before me, a Notary Public of the State of Maryland, personally appeared MICHAEL E. RUSSELL, who acknowledged himself to be the President of the

RECEIVED FOR TRUSSELL
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

DATE


JZ 11-27-96

2

JZ 11-27-96


Grantor Corporation, and that he, as such President, being authorized so to do, executed the foregoing Deed for the purposes therein contained by signing, in my presence, the name of the Corporation by himself as President, and certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor Corporation.

WITNESS  and Notarial Seal.


Notary Public

My Commission Expires: 11/1/00

This instrument has been prepared by James H. Patterson, an attorney, under such attorney's supervision, or by one of the parties named in this instrument.


JAMES H. PATTERSON

0011917 243

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563



Description of Portion of Property of

**WORTHINGTON HEIGHTS ORGANIZATION, INC.
Lot 3 - RIDGE VIEW**Worthington Heights Parkway
8th Election District, Baltimore Co., Maryland

November 22, 1996

Beginning for Lot 3 "Ridge View," a minor subdivision plan dated September 17, 1996, intended to be recorded among the Land Records of Baltimore County, Maryland, in the Minor Subdivision and Greenway Book, at an iron pipe at the end of the third or North 00 degrees 38 minutes 00 seconds East 200 foot line of the second parcel of the land which by deed dated April 15, 1969, and recorded among the Land Records of Baltimore County, Maryland, in Liber 4938 page 290, was conveyed by Carroll Joseph Blaney and Ann Marie Blaney to John Scott Wilson, Jr. and Shirley K. Wilson, said point being also the beginning of the 1st or South 21 degrees 59 minutes 20 seconds East 199.50 foot line of the land which by deed dated August 26, 1994, and recorded among said Land Records in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc., thence running with and binding reversely on the third line of the first deed, and also running with and binding reversely on the first line of the second deed, as now surveyed,

1) South 21 degrees 59 minutes 20 seconds East 199.50 feet to an "eyehook," thence running for new lines of division through the land of the second deed the five following courses, viz:

2) South 64 degrees 37 minutes 27 seconds West 110.25 feet, thence

3) South 38 degrees 32 minutes 30 seconds West 149.08 feet, thence

4) South 70 degrees 48 minutes 31 seconds West 98.93 feet, thence

5) North 59 degrees 09 minutes 57 seconds West 88.32 feet, and thence

6) North 33 degrees 37 minutes 43 seconds East 394.59 feet to intersect the 18th line of the second deed at the distance of 495.88 feet from the beginning thereof, thence running with and binding on the remaining portion of said line

Description of Ridge View Lot 3
November 22, 1996
Page 2

7) North 83 degrees 43 minutes 22 seconds East 68.97 feet to the beginning.

Containing 64,373.7 square feet, or 1.478 acres, of land, more or less.

Being part of the land which by deed dated August 26, 1994, and recorded among the Land Records of Baltimore County, Maryland, in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc.

Together with and subject to the following rights-of-ways for the use-in-common for ingress and egress with others entitled thereto:

1) A 40 foot right-of-way as mentioned in a deed dated June 23, 1948, and recorded among the Land Records of Baltimore County, Maryland, in Liber 1680 page 584 between Andre H. Carrington, Grace B. Carrington, his wife, and William F. Lusk, Jr., and Carroll Joseph and Ann Marie Blaney, said right-of-way being centered on the sixth line and parallel to the 7th line of the above described parcel.

2) A 40 foot right-of-way as mentioned in a deed dated March 9, 1954, and recorded among said Land Records in Liber 2474 page 566, between Winston Bright and Robert L. Woolf, Jr., the centerline of which is more particularly described as follows:

Beginning at the end of 64.11 feet on the third line of the above described parcel and thence running through the parcel North 21 degrees 15 minutes 03 seconds West 189.84 feet to the sixth line of said parcel at the distance of 277.01 feet from its beginning.

3) A 40 foot right-of-way now known as Worthington Heights Parkway leading from the above described parcel to Cuba Road.

- [illegible]

Please enter measurements only not as required in this item. Sections 2-16C.3 (b) or the Building Codebook, Title 14, Article V, Section Water Measurement Section 14-170 (c) allows a variance to be granted if strict adherence by the applicant would result in unreasonable hardship or practical difficulty and not take the interest of the Community. This variation is valid so long as the following conditions are addressed:

1. All new right seats to be converted to a suitable width without increasing the overall impact on the remaining availability, convenience, comfort, operation and equipment inventory.
2. Total area of road discontinuities must be stated in plan. List of discontinuities must be submitted.
3. All new right seats must be limited to 20% of allowed right-of-way width. The remaining 80% must be assigned to the existing right-of-way, including the right-of-way required for future widening.
4. Modern design systems are to be determined upon previous design or new dry, storm hydrology.
5. Additional submittals on these projects within two, with required submittal dates.

FOURTH CONSERVATION WORKSHEET

- [illegible]

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Road Estate Development

STANLEY F. FLETCHER, JR., 1920
NIGHT VOLLEY, WASTLAND 2000

1-800-527-1533

A	mean	std. dev.	(N=2)
1.00	1.00	0.00	1.00
2.00	2.00	0.00	2.00
3.00	3.00	0.00	3.00
4.00	4.00	0.00	4.00
5.00	5.00	0.00	5.00
6.00	6.00	0.00	6.00
7.00	7.00	0.00	7.00
8.00	8.00	0.00	8.00
9.00	9.00	0.00	9.00
10.00	10.00	0.00	10.00
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25.00	25.00	0.00	25.00
26.00	26.00	0.00	26.00
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28.00	28.00	0.00	28.00
29.00	29.00	0.00	29.00
30.00	30.00	0.00	30.00
31.00	31.00	0.00	31.00
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81.00	81.00	0.00	81.00
82.00	82.		

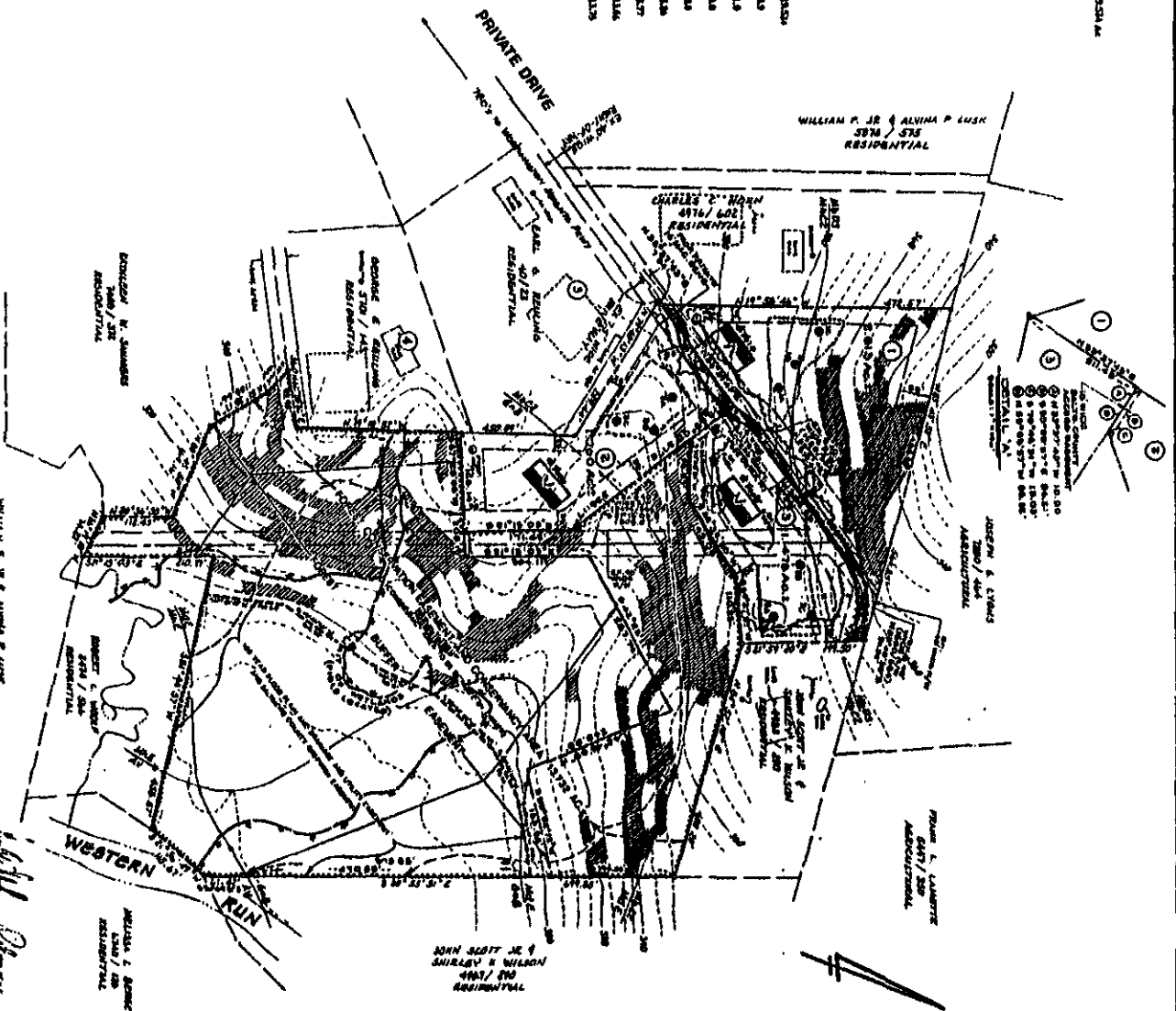
Completed by CSI

DATE: 10/10/2014

Parents of _____

Checked by N. H. C. H. H.
 Approved by W. H. C. H. H.
 Date 10/10/10

DD FORM 4-75 (Rev. 1-60)

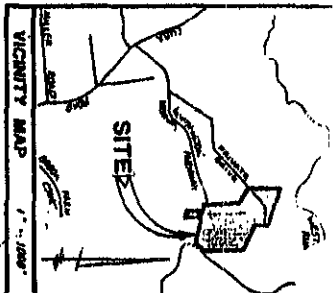
**FOREST CONSERVATION AND MINOR SUBDIVISION PLAN**

RIDGE VIEW

FROM ELECTION DISTRICT
 SCALE: 1" = 400'
 BALTIMORE COUNTY, MD
 DATE: 4/26/71, E. 1979a

OWNER: WORTHINGTON HEIGHTS ORGANIZATION, INC.
BOX 11, BHO

O STELLMAN COURT
 COCKEYSVILLE, MD 21030
 DEED REFERENCE: 10742-370
 TAX ACCT # 22-00-021144



State of Maryland Land Instrument Intake Sheet
☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1	Type(s) of Instruments	<input type="checkbox"/> Check Box if Addendum Intake Form is Attached.			
		<input checked="" type="checkbox"/> Deed	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Other	<input type="checkbox"/> Other
		<input type="checkbox"/> Deed of Trust	<input type="checkbox"/> Lease		
2	Conveyance Type Check Box	<input type="checkbox"/> Improved Sale	<input checked="" type="checkbox"/> Unimproved Sale	<input type="checkbox"/> Multiple Accounts	<input type="checkbox"/> Not an Arms-Length Sale
		Arms-Length [1]	Arms-Length [2]	Arms-Length [3]	Length Sale [9]
3	Tax Exemptions (If Applicable)	<u>CREATING MINOR SUBDIVISION</u>			
	Cite or Explain Authority	Recordation State Transfer County Transfer			
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only	
		Purchase Price/Consideration	\$ <u>0</u>	Transfer and Recordation Tax Consideration	
		Any New Mortgage	\$	Transfer Tax Consideration	
		Balance of Existing Mortgage	\$	X () % = \$	
		Other:	\$	Less Exemption Amount = \$	
		Other:	\$	Total Transfer Tax = \$	
		Full Cash Value	\$ <u>0</u>	Recordation Tax Consideration	
				X () per \$500 = \$	
				TOTAL DUE \$	
5	Fees	Amount of Fees		Doc. 1	
		Recording Charge	\$ <u>20.00</u>	\$	
		Surcharge	\$ <u>500</u>	\$	
		State Recordation Tax	\$	\$	
		State Transfer Tax	\$	\$	
		County Transfer Tax	\$	\$	
		Other	\$	\$	
		Other	\$	\$	
6	Description of Property	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map
	SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	<u>08</u>	<u>22-00-021144</u>	<u>10742-370</u>	<u>33</u>
		Subdivision Name		Lot (3a)	Block (3b)
		<u>Ridgeview-Maine Subdivision</u>		<u>3</u>	<u>311</u>
		Location/Address of Property Being Conveyed (2)			
		Other Property Identifiers (if applicable)			
		Water Meter Account No. <u>100</u>			
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/>	Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/>	Amount: <u>5</u>	
		Partial Conveyance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Description/Amt. of SqFt/Acreage Transferred: <u>1,478 ac.</u>		
		If Partial Conveyance, List Improvements Conveyed:			
7	Transferred From	Doc. 1 - Grantor(s) Name(s)		Doc. 2 - Grantor(s) Name(s)	
		<u>Washington Heights Organization, INC</u>			
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)	
8	Transferred To	Doc. 1 - Grantee(s) Name(s)		Doc. 2 - Grantee(s) Name(s)	
		<u>Washington Heights Organization, INC</u>			
		New Owner's (Grantee) Mailing Address			
		<u>6 STILLWAY CT. Cockeysville MD 21030</u>			
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)		Doc. 2 - Additional Names to be Indexed (Optional)	
10	Contact/Mail Information	Instrument Submitted By or Contact Person			
		Name: <u>James H. Patterson, Esquire</u>			
		Firm:			
		Address: <u>400 E. Joppa Road Towson MD 21286</u>			
		Phone: <u>(410) 825-0164</u>			
		<input checked="" type="checkbox"/> Return to Contact Person			
		<input type="checkbox"/> Hold for Pickup			
		<input type="checkbox"/> Return Address Provided			
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER				
	Assessment Information	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Will the property being conveyed be the grantee's principal residence?		
		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Does transfer include personal property? If yes, identify:		
		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).		
	Assessment Use Only - Do Not Write Below This Line				
	<input type="checkbox"/> Terminal Verification	<input type="checkbox"/> Agricultural Verification	<input type="checkbox"/> Whole	<input type="checkbox"/> Part	<input type="checkbox"/> Tran. Process Verification
	Transfer Number:	Date Received:	Deed Reference:		
	Year: <u>19</u>	<u>10</u>	Geo. <u>10</u>	Map <u>10</u>	Sub <u>10</u>
	Land <u>10</u>		Zoning <u>10</u>	Grid <u>10</u>	Block <u>10</u>
	Buildings <u>10</u>		Use <u>10</u>	Parcel <u>10</u>	Plat <u>10</u>
	Total <u>10</u>		Town Cd. <u>10</u>	Ex. Bl. <u>10</u>	Section <u>10</u>
	Assigned Property No.:				
	REMARKS:				
	Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (8/88)				

Court Clerk Recording Validation

YMD TO SURE \$
RECORDING FEERest # B405
SM EM
Nov 29, 1996Rec'd # 21186
Blk # 2275
08:36 am

Space Reserved for County Validation

TRANSFER TAX NOT REQUIRED

Director of Finance

BALTIMORE COUNTY MARYLAND

Per Don Bugger

Approved Signature

Date 11-27-96 Sec 33-139C

001917 247

Return to: James H. Patterson
400 E. Joppa RD
Towson MD 21281

DEED

THIS DEED, dated *26th*, 1996, from WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantor, to WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantee.

The Grantor, for a consideration of ZERO Dollars (\$-0-) grants, conveys and assigns to the Grantee it's successors and assigns, in fee simple, the real property located in Baltimore County, Maryland, and described as follows:

CONSERVANCY AREA, RIDGE VIEW, A MINOR SUB-DIVISION

For description, see Schedule "A" attached hereto and made a part hereof.

Being part of the same property described in the Deed dated August 26, 1994., and recorded among the Land Records of Baltimore County in Liber S.M. No. folio 10742 from 370 to the Grantor.

The undersigned officer certifies this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of Grantor.

Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

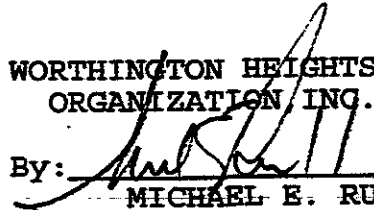
To have and to hold the property hereby conveyed unto the Grantee, it's successors and assigns', in fee simple, forever.

The Grantor covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has caused this Deed to be duly executed on its behalf by the duly authorized [Vice] President.

WITNESS:

WORTHINGTON HEIGHTS
ORGANIZATION, INC., Grantor

By:  (SEAL)
MICHAEL E. RUSSELL
President

State of Maryland Baltimore County, to wit:

I HEREBY CERTIFY that on November *26th*, 1996, before me, a Notary Public of the State of Maryland, personally appeared MICHAEL E. RUSSELL, who acknowledged himself to be the President of the

RECEIVED FOR
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

DATE

17 *11-27-96*

11-27-96

Grantor Corporation, and that he, as such President, being authorized so to do, executed the foregoing Deed for the purposes therein contained by signing, in my presence, the name of the Corporation by himself as President, and certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor Corporation.

WITNESS my hand and Notarial Seal.



Catherine M. Burgess
Notary Public

My Commission Expires: *11/1/00*

This instrument has been prepared by James H. Patterson, an attorney, under such attorney's supervision, or by one of the parties named in this instrument.

James H. Patterson
JAMES H. PATTERSON

0011917 249

MCKEE & ASSOCIATES, INC.

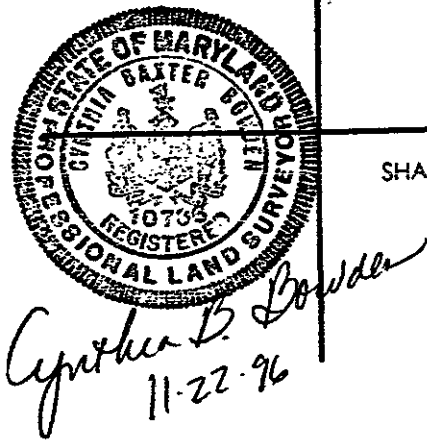
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563



Description of Portion of Property of

WORTHINGTON HEIGHTS ORGANIZATION, INC.
Conservancy Area - RIDGE VIEW

Worthington Heights Parkway
 8th Election District, Baltimore Co., Maryland

November 22, 1996

Beginning for the Conservancy Area, "Ridge View," a minor subdivision plan dated September 17, 1996, intended to be recorded among the Land Records of Baltimore County, Maryland, in the Minor Subdivision and Greenway Book, at an "eyehook" at the beginning of the third or North 00 degrees 38 minutes 00 seconds East 200 foot line of the second parcel of the land which by deed dated April 15, 1969, and recorded among the Land Records of Baltimore County, Maryland, in Liber 4938 page 290, was conveyed by Carroll Joseph Blaney and Ann Marie Blaney to John Scott Wilson, Jr. and Shirley K. Wilson, said point being also the beginning of the second or North 84 degrees 52 minutes 10 seconds East 400.20 foot line of the land which by deed dated August 26, 1994, and recorded among said Land Records in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc., thence running with and binding reversely on the second line of the first deed, and also running with and binding reversely on the second line of the second deed, as now surveyed,

1) North 84 degrees 52 minutes 10 seconds East 400.20 foot to an iron pipe at the beginning of the ninth or South 01 degrees 40 minutes West 700 foot line of the first parcel of the first mentioned deed (4983/290), thence running with and binding on the ninth and tenth lines of said first parcel, and also running with and binding on the third and fourth lines of the second mentioned deed (10742/370), the two following courses, viz:

2) South 20 degrees 55 minutes 31 seconds East 699.85 feet to an iron pipe, and thence

3) South 20 degrees 55 minutes 31 seconds East 61.42 feet to a point in Western Run, thence running with and binding on the fifth line of the second deed

Description of Ridge View Conservancy Area

November 22, 1996

Page 2

4) South 21 degrees 36 minutes 49 seconds West 115.67 feet to the beginning of the third or North 75 degrees 34 minutes West 458.77 foot line of the land conveyed to Robert L. Woolf, Jr. from Winston Bright by a deed dated March 9, 1954, and recorded among said Land Records in Liber 2474 page 566, thence running with and binding on the third and fourth lines of said deed, and also running with and binding on the 6th and 7th lines of the second deed (10742/370), the two following courses, viz:

5) South 81 degrees 44 minutes 57 seconds West 458.57 feet to a point, and thence

6) South 21 degrees 15 minutes 03 seconds East 210.71 feet to an iron pipe, thence running with and binding on the 8th line of said deed

7) North 86 degrees 19 minutes 13 seconds West 74.22 feet to the beginning of the 7th or North 01 degrees 26 minutes East 112.48 foot line of the first parcel of the land which by deed dated February 9, 1987, and recorded among said Land Records in Liber 7408 page 372, was conveyed by Ralph W. Simmers, III and Kathleen W. Simmers to Kathleen W. Simmers, thence running with and binding on the 7th through the 10th lines of said first parcel, and also running with and binding on the 9th through the 12th lines of the second deed (10742/370), the four following courses, viz:

8) North 20 degrees 36 minutes 30 seconds West 112.45 feet to an iron pipe, thence

9) North 88 degrees 45 minutes 50 seconds West 164.16 feet to an iron pipe, thence

10) North 51 degrees 38 minutes 17 seconds West 108.66 feet to an iron pipe, and thence

11) North 67 degrees 43 minutes 13 seconds West 48.31 feet to an iron pipe on the South 82 degrees 19 minutes 00 seconds West 419.97 foot line of lot 4 as laid out and shown on a plat entitled "Subdivision of Property of Earl G. Reuling & Wife," dated August 2, 1976, and recorded among the Plat Records of Baltimore County, Maryland, in Plat book 40 folio 23, thence running with and binding reversely on said plat, and also running with and binding on the 13th and 14th lines of said second deed (10742/370), the two following courses, viz:

12) North 60 degrees 33 minutes 30 seconds East 93.90 feet to an iron pipe, and thence

13) North 19 degrees 10 minutes 52 seconds West 268.00 feet, thence running for new lines of division through the land of said second deed the six following courses, viz:

14) North 67 degrees 29 minutes 06 seconds East 165.14 feet, thence

Description of Ridge View Conservancy Area
November 22, 1996
Page 3

- 15) North 21 degrees 15 minutes 03 seconds West 171.42 feet, thence
- 16) North 59 degrees 09 minutes 57 seconds West 247.85 feet, thence
- 17) North 70 degrees 48 minutes 31 seconds East 98.93 feet, thence
- 18) North 38 degrees 32 minutes 30 seconds East 149.08 feet, and thence
- 19) North 64 degrees 37 minutes 27 seconds East 110.25 feet to the beginning.

Containing 598,168.3 square feet, or 13.732 acres, of land, more or less.

Being part of the land which by deed dated August 26, 1994, and recorded among the Land Records of Baltimore County, Maryland, in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc.

Together with and subject to the following easements, and rights-of-ways for the use-in-common for ingress and egress with others entitled thereto:

1) A 40 foot right-of-way as mentioned in a deed dated June 23, 1948, and recorded among the Land Records of Baltimore County, Maryland, in Liber 1680 page 584 between Andre H. Carrington, Grace B. Carrington, his wife, and William F. Lusk, Jr., and Carroll Joseph and Ann Marie Blaney, said right-of-way being centered on the sixth line of Lot 3, "Ridge View" and the second line of Lot 2, "Ridge View."

2) A 40 foot right-of-way as mentioned in a deed dated March 9, 1954, and recorded among said Land Records in Liber 2474 page 566, between Winston Bright and Robert L. Woolf, Jr., the centerline of which is more particularly described as follows:

Beginning at the end of 22.06 feet on the 7th or North 86 degrees 19 minutes 13 seconds West 74.22 foot line of the above described parcel, thence running through said parcel North 21 degrees 15 minutes 03 seconds West 1015.23 feet to the 18th line of said parcel at the distance of 64.11 feet from its end, and thence continuing through Lot 3, "Ridge View," North 21 degrees 15 minutes 03 seconds West 189.84 feet to the sixth line of said Lot 3 at the distance of 277.01 feet from its beginning.

3) A 40 foot right-of-way now known as Worthington Heights Parkway leading from the above described parcel to Cuba Road.

Description of Ridge View Conservancy Area
November 22, 1996
Page 4

4) A 40 foot right-of-way as mentioned in a deed dated February 9, 1949, and recorded among said Land Records in Liber 1735 page 56, by and between Andre H. Carrington, Grace B. Carrington, his wife, William F. Lusk, Jr., and Earl G. Reuling and Mary R. Reuling, said right-of-way being centered on the 12th or North 60 degrees 33 minutes 30 seconds East 93.90 foot line of the above described parcel.

5) Forest Conservation Easement, Forest Buffer Easement, 100 Year Flood Plain and Drainage and Utility Easement, Baltimore County Greenway Easement, and Baltimore County Access Easement as laid out and shown on Baltimore County Right-of-Way Plats 96-302-1 and 96-302-2.

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LEGEND

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STORMWATER-MANAGEMENT NOTES

1. The stormwater management plan for this project is based on the assumption that the project will be developed in accordance with the standards and criteria set forth in the Stormwater Management Manual for the State of North Carolina, 4th Edition, 1999.
2. The stormwater management plan for this project is based on the assumption that the project will be developed in accordance with the standards and criteria set forth in the Stormwater Management Manual for the State of North Carolina, 4th Edition, 1999.
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5. The stormwater management plan for this project is based on the assumption that the project will be developed in accordance with the standards and criteria set forth in the Stormwater Management Manual for the State of North Carolina, 4th Edition, 1999.

STORMWATER-MANAGEMENT NOTES

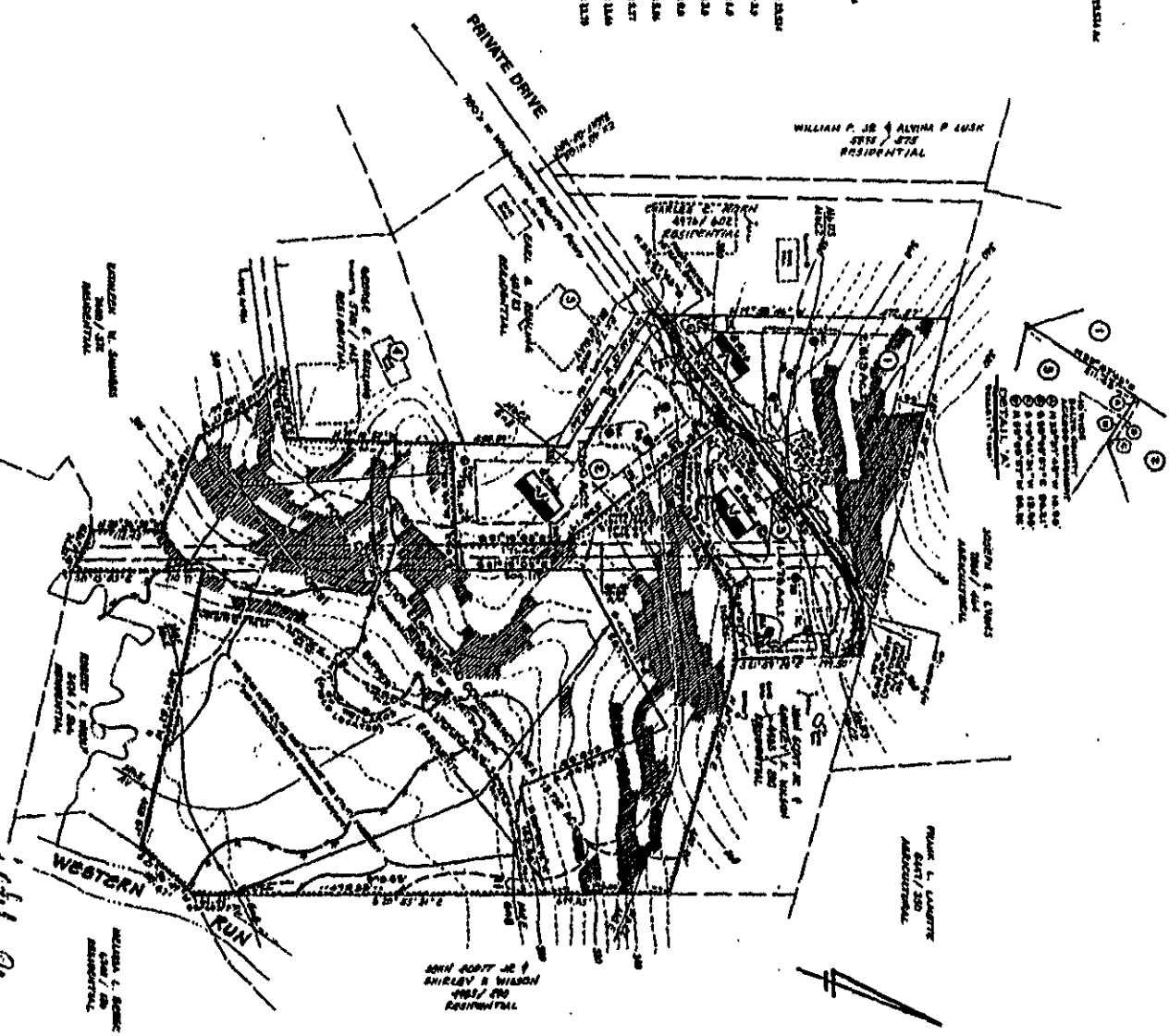
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McKEE & ASSOCIATES, INC.

Engineers, Surveyors, Planners, Architects
1000 S. 10th Street, Suite 100
Greensboro, NC 27402
(336) 337-1555
Fax: (336) 337-1556
www.mckeeco.com

SITE INFORMATION

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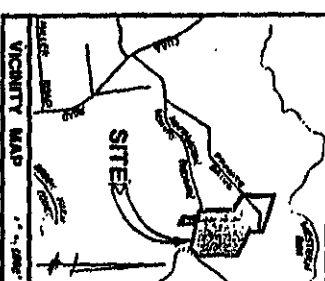
NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/1/00	Initial Survey	J. McKee	J. McKee
2	10/1/00	Final Survey	J. McKee	J. McKee
3	10/1/00	Final Survey	J. McKee	J. McKee
4	10/1/00	Final Survey	J. McKee	J. McKee
5	10/1/00	Final Survey	J. McKee	J. McKee
6	10/1/00	Final Survey	J. McKee	J. McKee
7	10/1/00	Final Survey	J. McKee	J. McKee
8	10/1/00	Final Survey	J. McKee	J. McKee
9	10/1/00	Final Survey	J. McKee	J. McKee
10	10/1/00	Final Survey	J. McKee	J. McKee

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FOREST CONSERVATION AND MINOR SUBDIVISION PLAN
RIDGE VIEW

OWNER: WORTHINGTON HEIGHTS ORGANIZATION, INC.
1000 S. 10th Street, Suite 100
Greensboro, NC 27402
(336) 337-1555
Fax: (336) 337-1556
www.mckeeco.com



001 17 229

Return To: James H. Patterson
400 E. Joppa Rd
Towson MD 21286

DEED

THIS DEED, dated 26th, 1996, from WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantor, to WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantee.

The Grantor, for a consideration of ZERO Dollars (\$-0-) grants, conveys and assigns to the Grantee it's successors and assigns, in fee simple, the real property located in Baltimore County, Maryland, and described as follows:

LOT 1, RIDGE VIEW, A MINOR SUB-DIVISION

For description, see Schedule "A" attached hereto and made a part hereof.

Being part of the same property described in the Deed dated August 26, 1994., and recorded among the Land Records of Baltimore County in Liber S.M. No. folio 10742 from 370 to the Grantor.

The undersigned officer certifies this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of Grantor.

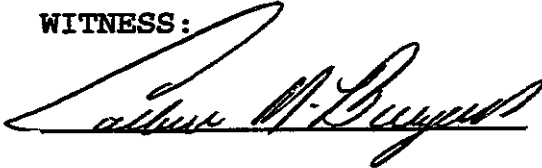
Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property hereby conveyed unto the Grantee, it's successors and assigns', in fee simple, forever.

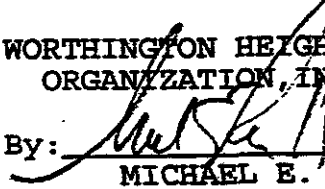
The Grantor covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has caused this Deed to be duly executed on its behalf by the duly authorized [Vice] President.

WITNESS:



WORTHINGTON HEIGHTS
ORGANIZATION, INC., Grantor

By:  (SEAL)
MICHAEL E. RUSSELL
President

State of Maryland Baltimore County, to wit:

I HEREBY CERTIFY that on November 26th, 1996, before me, a Notary Public of the State of Maryland, personally appeared MICHAEL E. RUSSELL, who acknowledged himself to be the President of the

RECEIVED FOR TRUSSELL
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

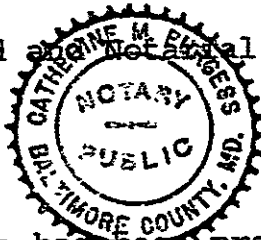
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JZ 11-27-96

Grantor Corporation, and that he, as such President, being authorized so to do, executed the foregoing Deed for the purposes therein contained by signing, in my presence, the name of the Corporation by himself as President, and certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor Corporation.

WITNESS my hand and Notarial Seal.



Catherine M. Burgess
Notary Public

My Commission Expires: 7/1/00

This instrument has been prepared by James H. Patterson, an attorney, under such attorney's supervision, or by one of the parties named in this instrument.

James H. Patterson
JAMES H. PATTERSON

0011917 231



Arthur B. Bowden
11.22.96

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

Description of Portion of Property of

**WORTHINGTON HEIGHTS ORGANIZATION, INC.
Lot 1 - RIDGE VIEW**Worthington Heights Parkway
8th Election District, Baltimore Co., Maryland

November 22, 1996

Beginning for Lot 1 "Ridge View," a minor subdivision plan dated September 17, 1996, intended to be recorded among the Land Records of Baltimore County, Maryland, in the Minor Subdivision and Greenway Book, at an iron pipe at the end of the second or South 02 degrees 06 minutes 50 seconds West 472.84 foot line of the land conveyed by Herbert J. Newcomb, Jr. and Florence J. Newcomb to Charles C. Horn and Audrey E. Horn by a deed dated March 28, 1969, and recorded among said Land Records in Liber 4976 page 602, said point being also at the beginning of the 17th or North 19 degrees 58 minutes 46 seconds West 472.57 foot line of the land which by deed dated August 26, 1994, and recorded among said Land Records in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc., thence running with and binding on said 17th line, and also running with and binding reversely on said second line of the first mentioned deed, as now surveyed,

1) North 19 degrees 58 minutes 46 seconds West 472.57 feet to an iron pipe on the 26th line of land conveyed from William F. Lusk, Jr. to William F. Lusk, Jr. and Alvina P. Lusk by a deed dated April 4, 1978, and recorded among said Land Records in Liber 5875 page 575, thence running with and binding reversely on a portion of said 26th line, and also running with and binding on a portion of the 18th line of the second mentioned deed (10742/370),

2) North 83 degrees 43 minutes 32 seconds East 495.88 feet to a point, thence leaving said 18th line and running for a new line of division through the land of said second deed

3) South 33 degrees 37 minutes 43 seconds West 598.48 feet to the beginning.

Containing 113,834.5 square feet, or 2.613 acres, of land, more or less.

Description of "Ridge View" Lot 1
November 22, 1996
Page 2

Being part of the land which by deed dated August 26, 1994, and recorded among the Land Records of Baltimore County, Maryland, in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc.

Together with and subject to the following rights-of-ways for the use-in-common for ingress and egress with others entitled thereto:

1) A 40 foot right-of-way as mentioned in a deed dated June 23, 1948, and recorded among the Land Records of Baltimore County, Maryland, in Liber 1680 page 584 between Andre H. Carrington, Grace B. Carrington, his wife, and William F. Lusk, Jr., and Carroll Joseph and Ann Marie Blaney, said right-of-way being centered on the third line of the above described parcel.

2) A 40 foot right-of-way now known as Worthington Heights Parkway leading from the above described parcel to Cuba Road.

WITH RECOMMENDATIONS

- [illegible]

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| 2. Eukaryotic Leaflet | 10256 | 10725-10740 |
| 3. Green Leaflet Leaflet | 10257 | 10725-10740 |
| 4. Green Leaflet | 10258 | 10725-10740 |
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| 7. Eukaryotic Leaflet | 10261 | 10725-10740 |
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| 10. Eukaryotic Leaflet | 10264 | 10725-10740 |
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SEWAGEWATER MANAGEMENT NOTES

[illegible]

1. All the assets must be owned by a single individual (individual, partnership, trust, estate or religious property).
 2. Total cost of land elsewhere must be noted on plan. Units or subdivisions not included.
 3. All properties were noted as being 50% or above owned and managed by one or more persons, including those not immediately or totally owned.
 4. Name of each person to be disclosed was printed once or less by the name, alone or with title.
 5. Address (including an open people's office) will include street address for the site and the address of the person.
- If these conditions 1-5 are not met, then a notice of compliance must be submitted for the site after each property is reviewed and 2 more days are given for additional approval.

Feeding Conservation. Necessity

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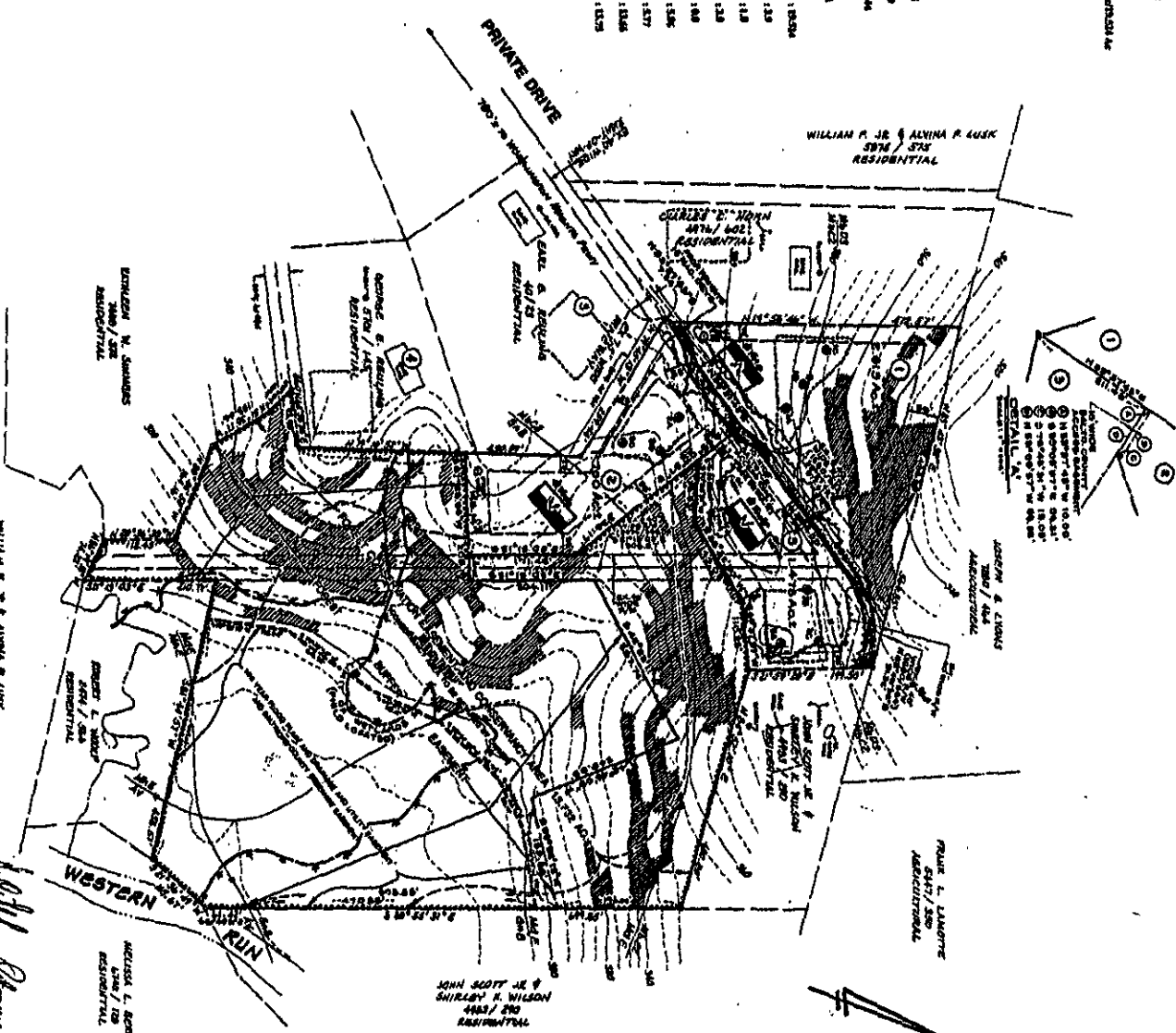
McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

(410) 527-1555

Composed by: CAS
 Drawn by: US/SA/PA/CA
 Checked by: QIC, GSC
 Job Number: 4130

James W. Mackay 4/26/80
 James W. Mackay Date
 Maryland Registered No. 80227



FOREST CONSERVATION AND MINOR SUBDIVISION PLAN

RIDGE VIEW

5TH ELECTION DISTRICT
SCALE: 1" = 100'

OWNER: WORTHINGTON HEIGHTS ORGANIZATION, INC.

6 STILLMAN COURT
COCKEYSVILLE, MD 21038
DEED REFERENCE: 107432
TAX ACCT # 22-00-02114

[illegible][illegible]

Year	Country	Yearly average of the number of inhabitants	Yearly average of the number of inhabitants	%	%
Year	Country	Yearly average of the number of inhabitants	Yearly average of the number of inhabitants	%	%
1950	France	10,000,000	10,000,000	100	100
1955	France	10,500,000	10,500,000	105	105
1960	France	11,000,000	11,000,000	110	110
1965	France	11,500,000	11,500,000	115	115
1970	France	12,000,000	12,000,000	120	120
1975	France	12,500,000	12,500,000	125	125
1980	France	13,000,000	13,000,000	130	130
1985	France	13,500,000	13,500,000	135	135
1990	France	14,000,000	14,000,000	140	140
1995	France	14,500,000	14,500,000	145	145
2000	France	15,000,000	15,000,000	150	150
2005	France	15,500,000	15,500,000	155	155
2010	France	16,000,000	16,000,000	160	160
2015	France	16,500,000	16,500,000	165	165
2020	France	17,000,000	17,000,000	170	170
2025	France	17,500,000	17,500,000	175	175
2030	France	18,000,000	18,000,000	180	180
2035	France	18,500,000	18,500,000	185	185
2040	France	19,000,000	19,000,000	190	190
2045	France	19,500,000	19,500,000	195	195
2050	France	20,000,000	20,000,000	200	200
2055	France	20,500,000	20,500,000	205	205
2060	France	21,000,000	21,000,000	210	210
2065	France	21,500,000	21,500,000	215	215
2070	France	22,000,000	22,000,000	220	220
2075	France	22,500,000	22,500,000	225	225
2080	France	23,000,000	23,000,000	230	230
2085	France	23,500,000	23,500,000	235	235
2090	France	24,000,000	24,000,000	240	240
2095	France	24,500,000	24,500,000	245	245
2100	France	25,000,000	25,000,000	250	250

State of Maryland Land Instrument Intake Sheet
☐ Baltimore City ☒ County: BALTIMORE

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1	Type(s) of Instruments	<input checked="" type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input type="checkbox"/> Other <input type="checkbox"/> Other					
		<input type="checkbox"/> Deed of Trust <input type="checkbox"/> Lease <input type="checkbox"/> Other					
2	Conveyance Type Check Box	<input type="checkbox"/> Improved Sale <input checked="" type="checkbox"/> Unimproved Sale <input type="checkbox"/> Multiple Accounts <input type="checkbox"/> Not an Arms-Length Sale [9]					
		Arms-Length [1] Arms-Length [2] Arms-Length [3]					
3	Tax Exemptions (if Applicable)	<input type="checkbox"/> Recordation <input checked="" type="checkbox"/> <u>CREATING MINOR SUBDIVISION</u>					
		<input type="checkbox"/> State Transfer <input type="checkbox"/> County Transfer					
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only			
		Purchase Price/Consideration \$ <u>0</u> Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$ <u>0</u>		Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ X () % = \$ Less Exemption Amount \$ Total Transfer Tax = \$ Recordation Tax Consideration \$ X () per \$500 = \$ TOTAL DUE \$			
5	Fees	Amount of Fees		Agents			
		Doc. 1 Recording Charge \$ <u>20.00</u> Surcharge \$ <u>5.00</u> State Recordation Tax \$ <u>0</u> State Transfer Tax \$ <u>0</u> County Transfer Tax \$ <u>0</u> Other \$ Other \$		Doc. 2 Tax Bill <u>OPEN</u> C.B. Credit: <u>NO MORE</u> Ag. Tax/Other:			
6	Description of Property	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
		<u>08</u>	<u>22-00-021144</u>	<u>10742-370</u>	<u>33</u>	<u>311</u>	<input type="checkbox"/> (5)
	SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	Subdivision Name		Lot (3a)	Block (3b)	Sect/AR(3c)	SqFt/Acreage (4)
		<u>Ridge View Terrace Subdivision Lot 1</u>					
		Location/Address of Property Being Conveyed (2)					
		Other Property Identifiers (if applicable)				Water Meter Account No.	
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount:					
		Partial Conveyance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred: <u>2.613 acres</u>					
		If Partial Conveyance, List Improvements Conveyed:					
7	Transferred From	Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)		
		<u>WORTHINGTON HEIGHTS ORGANIZATION, INC.</u>					
8	Transferred To	Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 - Owner(s) of Record, if Different from Grantor(s)		
		<u>WORTHINGTON HEIGHTS ORGANIZATION, INC.</u>					
		New Owner's (Grantee) Mailing Address					
		<u>6 STILLWAY CT. COCKEYSVILLE MD 21030</u>					
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)		
10	Contact/Mail Information	Instrument Submitted By or Contact Person				<input checked="" type="checkbox"/> Return to Contact Person <input type="checkbox"/> Hold for Pickup <input type="checkbox"/> Return Address Provided	
		Name: <u>JAMES H. PATTERSON, ESQUIRE</u> Firm: Address: <u>400 E. JOPPA ROAD TOWSON MD 21286</u> Phone: <u>(410) 825-6164</u>					
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER.	Assessment Information <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will the property being conveyed be the grantee's principal residence? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does transfer include personal property? If yes, identify:					
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).					
		Assessment Use Only - Do Not Write Below This Line					
		<input type="checkbox"/> Terminal Verification <input type="checkbox"/> Agricultural Verification <input type="checkbox"/> Whole <input type="checkbox"/> Part <input type="checkbox"/> Trans. Process Verification					
		Transfer Number:		Date Received:		Assigned Property No.:	
		Year	19	19	Geo.	Map	Sub
		Land			Zoning	Grid	Block
		Buildings			Use	Parcel	Lot
		Total			Town Cd.	Ex. St.	Occ. Cd.
		REMARKS:					
		Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (6/95)					

Space Reserved for County Validation

 RECORDED SURE &
 RECORDED FEE
 TOTAL
 \$ 2405
 \$ 2273
 \$ 08:36

 5.00
 20.00
 25.00
 Rpt # 2118
 Bk # 2273
 08:36

 TRANSFER TAX NOT REQUIRED
 DIRECTOR OF TAXATION
 BALTIMORE COUNTY MARYLAND
 Date 11-27-96 Sec 33-139

0011917 25

Return to James H. Patterson
400 E. Joppa RD
Towson, MD 21286

DEED

THIS DEED, dated 26th, 1996, from WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantor, to WORTHINGTON HEIGHTS ORGANIZATION, INC., a Maryland Corporation, Grantee.

The Grantor, for a consideration of ZERO Dollars (\$-0-) grants, conveys and assigns to the Grantee it's successors and assigns, in fee simple, the real property located in Baltimore County, Maryland, and described as follows:

LOT 2, RIDGE VIEW, A MINOR SUB-DIVISION

For description, see Schedule "A" attached hereto and made a part hereof.

Being part of the same property described in the Deed dated August 26, 1994., and recorded among the Land Records of Baltimore County in Liber S.M. No. folio 10742 from 370 to the Grantor.

The undersigned officer certifies this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of Grantor.

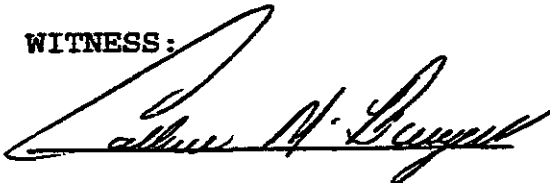
Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property hereby conveyed unto the Grantee, it's successors and assigns', in fee simple, forever.

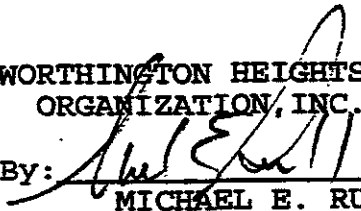
The Grantor covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has caused this Deed to be duly executed on its behalf by the duly authorized [Vice] President.

WITNESS:



WORTHINGTON HEIGHTS
ORGANIZATION, INC., Grantor

By:  (SEAL)
MICHAEL E. RUSSELL
President

State of Maryland Baltimore County, to wit:

I HEREBY CERTIFY that on November 26th, 1996, before me, a Notary Public of the State of Maryland, personally appeared MICHAEL E. RUSSELL, who acknowledged himself to be the President of the

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE JZ DATE 11-27-96

Grantor Corporation, and that he, as such President, being authorized so to do, executed the foregoing Deed for the purposes therein contained by signing, in my presence, the name of the Corporation by himself as President, and certified that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of the Grantor Corporation.

WITNESS my hand and Notarial Seal.



Catherine M. Burgess
Notary Public

My Commission Expires: 11/1/00

This instrument was prepared by James H. Patterson, an attorney, under such attorney's supervision, or by one of the parties named in this instrument.

James H. Patterson
JAMES H. PATTERSON

0011917 237

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563



Description of Portion of Property of

**WORTHINGTON HEIGHTS ORGANIZATION, INC.
Lot 2 - RIDGE VIEW**Worthington Heights Parkway
8th Election District, Baltimore Co., Maryland

November 22, 1996

Beginning for Lot 2 "Ridge View," a minor subdivision plan dated September 17, 1996, intended to be recorded among the Land Records of Baltimore County, Maryland, in the Minor Subdivision and Greenway Book, at the end of the South 57 degrees 28 minutes 00 seconds East 259.44 foot line of lot 3 as laid out and shown on a plat entitled "Subdivision of Property of Earl G. Reuling & Wife," dated August 2, 1976, and recorded among the Plat Records of Baltimore County, Maryland, in Plat book 40 folio 23, said point being also the beginning of the 15th or North 79 degrees 40 minutes 13 seconds West 259.44 foot line of the land which by deed dated August 26, 1994, and recorded among said Land Records in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc., thence running with and binding on said 15th line, and also running with and binding reversely on said plat line, as now surveyed,

- 1) North 79 degrees 40 minutes 13 seconds West 259.44 feet and to intersect the third or South 55 degrees 32 minutes 00 seconds West 238.20 foot line of the land conveyed to Charles C. Horn and Audrey E. Horn from Herbert J. Newcomb, Jr. and Florence J. Newcomb by a deed dated March 28, 1969, and recorded among said Land Records in Liber 4976 page 602, at the distance of 7.54 feet from its beginning, thence running with and binding reversely on said third line, and also running with and binding on the 16th line of said first mentioned deed (10742/370)
- 2) North 33 degrees 37 minutes 43 seconds East 7.54 feet to an iron pipe, thence continuing the bearing of said 16th line and running for a new line of division through the land of said deed
- 3) North 33 degrees 37 minutes 43 seconds East 203.89 feet, thence continuing to run for new lines of division through said land the three following courses, viz:
- 4) South 59 degrees 09 minutes 57 seconds East 336.17 feet, thence

Description of Ridge View, Lot 2
November 22, 1996
Page 2

- 5) South 21 degrees 15 minutes 03 seconds East 171.42 feet, and thence
- 6) South 67 degrees 29 minutes 06 seconds West 165.14 feet and to intersect the 14th, or North 19 degrees 10 minutes 52 seconds West 450.89 foot line of the first mentioned deed at the distance of 268.00 feet from its beginning, said point being also at the end of 182.89 feet on the South 02 degrees 47 minutes 00 seconds West 451.89 foot line of said aforementioned plat, thence running with and binding reversely on said plat line to its beginning, and also running with and binding on the remaining portion of said 14th line
- 7) North 19 degrees 10 minutes 52 seconds West 182.89 feet to the beginning.

Containing 74,070.2 square feet, or 1.700 acres, of land, more or less.

Being part of the land which by deed dated August 26, 1994, and recorded among the Land Records of Baltimore County, Maryland, in Liber 10742 page 370, was conveyed by Alvina P. Lusk to Worthington Heights Organization, Inc.

Together with and subject to the following rights-of-ways for the use-in-common for ingress and egress with others entitled thereto:

- 1) A 40 foot right-of-way as mentioned in a deed dated June 23, 1948, and recorded among the Land Records of Baltimore County, Maryland, in Liber 1680 page 584 between Andre H. Carrington, Grace B. Carrington, his wife, and William F. Lusk, Jr., and Carroll Joseph and Ann Marie Blaney, said right-of-way being centered on the second and third lines of the above described parcel.
- 2) A 40 foot right-of-way as mentioned in a deed dated February 9, 1949, and recorded among said Land Records in Liber 1735 page 56, by and between Andre H. Carrington, Grace B. Carrington, his wife, William F. Lusk, Jr., and Earl G. Reuling and Mary R. Reuling, said right-of-way being centered on the first or North 79 degrees 40 minutes 13 seconds West 259.44 foot line of the above described parcel.
- 3) A 40 foot right-of-way now known as Worthington Heights Parkway leading from the above described parcel to Cuba Road.

ANDESVIPBESKED 2219

- [illegible]

STORMWATER MANAGEMENT NOTE:

[illegible]

- [illegible]

FOODS CONSERVATION WORKSHOPS

- [illegible]

McKEE & ASSOCIATES, INC.

Engineering - Surveys - Real Estate Development

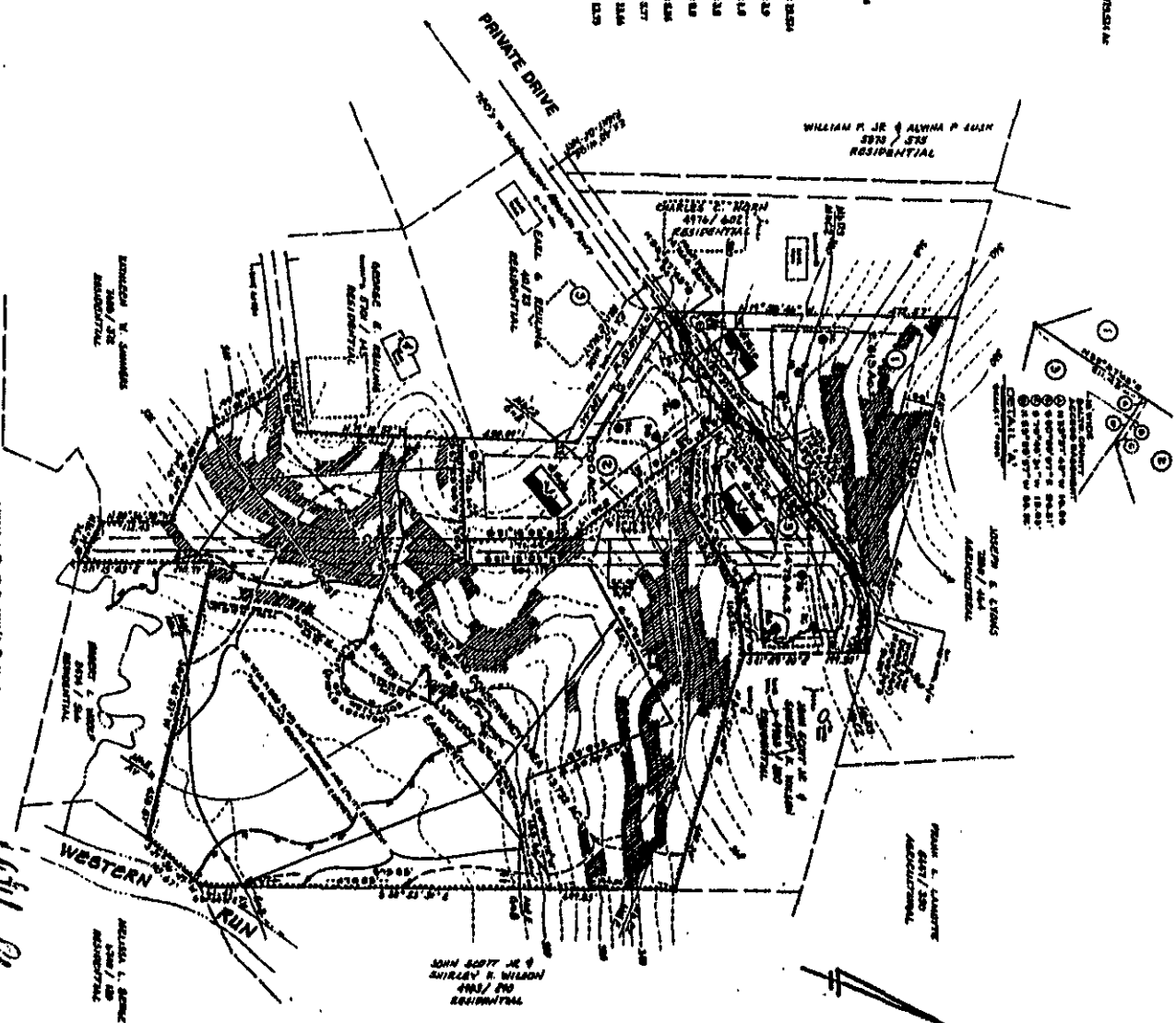
(410) 527-1555

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1944/1945

James W. McKee **Deer**

California Registered No. 80123

**FOREST CONSERVATION AND MINOR SUBDIVISION PLAN**

RIDGE VIEW

ARM ELECTRON PROJECT
SCALE: 1" = 100'
ALLIANCE CONC. AND
DATE: 4/20/74

OWNER: WORTHINGTON HEIGHTS ORGANIZATION, INC.

6 STRALMAN COURT
COCKEYSVILLE, MD 21030
DEED REFERENCE: 10742/376
TAX ACCT # 23-00-02106

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Transfer Tax Not Required
Director of Finance
BALTIMORE COUNTY MARYLAND
Jeffrey Dwyer
Authorized Signature
Date 11-27-96 Sec 33-136 E

IN RE: PETITION FOR VARIANCE
SW/S Tollgate Road at
W/S Chins Court
(235 Tollgate Road)
4th Election District
3rd Councilmanic District
Mt. Pleasant A.M.E. Church
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-136-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 235 Tollgate Road, located in the vicinity of Pleasant Hill Road in Owings Mills. The Petition was filed by the owner of the property, Mt. Pleasant A.M.E. Church, by Clifton E. Sparrow, Pastor, through their attorney, Judy Grier Smylie, Esquire. The Petitioner seeks relief from Section 1801.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 14 feet in lieu of the required 30 feet, and from Section 409.6.A.4 of the B.C.Z.R. to permit 29 parking spaces in lieu of the minimum required 43 for a proposed church reconstruction. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Pastor Sparrow and Judy Grier Smylie, Esquire, attorney for the Petitioner. Several other individuals There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 1.00 acres, more or less, zoned D.R. 3.5. The property had been the site of the Mt. Pleasant AME Church and accessory cemetery for the past 125 years until destroyed by fire in December 1994. The congregation is desirous of reconstructing the church on its original building

footprint and utilizing the existing parking configuration, as they have done so for the past 125 years. Due to the location of the existing footprint and the fact that a portion of the property was taken by the State Highway Administration (SHA) for construction of the Northwest Expressway (I-795), the requested variances are necessary. Further testimony revealed that the existing parking configuration has worked well for many years and has not caused any adverse effect to the surrounding locale. This is evidenced by the fact that no one from the surrounding community appeared in opposition to the Petitioner's request. Thus, it appears the relief requested should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of November, 1995 that the Petition for Variance seeking relief from Section 1801.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 14 feet in lieu of the required 30 feet, and from Section 409.6.A.4 of the B.C.Z.R. to permit 29 parking spaces in lieu of the minimum required 43 for a proposed church reconstruction, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 27, 1995

(410) 887-4386

Judy Grier Smylie, Esquire
P.O. Box 21333
Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE
SW/S Tollgate Road at W/S Chins Court
(235 Tollgate Road)
4th Election District - 3rd Councilmanic District
Mt. Pleasant A.M.E. Church - Petitioner
Case No. 96-136-A

Dear Ms. Smylie:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Rev. Clifton E. Sparrow
3 Main View Court, Randallstown, Md. 21133

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 11/27/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/27/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/27/95
By [Signature]

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 235 Tollgate Road
96-136-A which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.
(The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s))

- (1) 1.801.2C1a to permit a rear yard of 14 feet instead of the required 30 feet

- (2) 409.6A4 to permit 29 parking spaces instead of the required 43.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) Hardship caused by the State Highway Administration acquisition of land for the Northwest Expressway.

- (2) Practical difficulty in complying with the requirement.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Owner/Petitioner:

Name of Petitioner

Signature

Address

City

State

Zip

Attorney for Petitioner:

Name of Attorney

Signature

Address

City

State

Zip

Phone No.

Post Office Box

City

State

Zip

Phone No.

Post Office Box

City

State

Zip

Phone No.

Who do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): *MT. PLEASANT A.M.E. Church*

Name of Petitioner

Signature

Address

City

State

Zip

Attorney for Petitioner:

Name of Attorney

Signature

Address

City

State

Zip

Phone No.

Post Office Box

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-136-A (Item 135)
235 Tollgate Road
Mount Pleasant A.M.E. Church
SW/S Tollgate Road, corner W/S China Court
4th Election District - 3rd Councilmanic
Legal Owner: Mt. Pleasant A.M.E. Church

Variance to permit a rear yard of 14 feet instead of the required 30 feet; and to permit 29 parking spaces instead of the required 43.

HEARING: THURSDAY, NOVEMBER 9, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Arnold Jablon
Director

cc: Mt. Pleasant A.M.E. Church
Judy Grier Smylie, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 2, 1995

Judy Grier Smylie, Esquire
P. O. Box 21333
Baltimore, Maryland 21208

RE: Item No.: 135
Case No.: 96-136-A
Petitioner: Mt. Pleasant A.M.E.
Church

Dear Ms. Smylie:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 26, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 235 Tollgate Road

INFORMATION:

Item Number: 135

Petitioner: Mt. Pleasant A.M.E. Church

Property Size:

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The letter of September 25, 1995 from Judy Grier Smylie, attorney for the Petitioner, provides a comprehensive explanation of the obvious hardships in this case and the proposed mitigation efforts related to the parking variance. Based upon a review of the information provided and analysis conducted, this office supports the requested relief that would enable the Mt. Pleasant A.M.E. congregation to reconstruct their church which was destroyed as a result of arson.

Prepared by: *Jeffery W. Long*

Division Chief: *Carol L. Kerns*

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Oct. 18, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for October 16, 1995
Item No. 135

The Development Plans Review Division has reviewed the subject zoning item. The proposed parking layout is not acceptable, and granting the requested parking variance is going to negatively impact the neighborhood. In addition, this site is not subject to the Landscape Manual requirements.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1103

RE: Property Owner: SEE BELOW

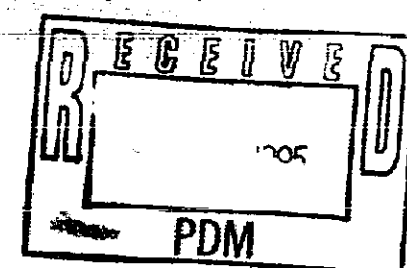
LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 135, 136, 137, 138, 139, 140, 141, 142 AND 144.



REVIEWER: LT. ROBERT P. SAUERNAID
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 135 (WCR/A)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1995

Judy Grier Smylie, Esquire
P.O. Box 21333
Baltimore, MD 21208

RE: Preliminary Petition Review (Item 4-135)
Legal Owner: Mt. Pleasant A.M.E. Church
235 Tollgate Road
4th Election District

Dear Ms. Smylie:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. Zoning classification missing from petition form.
2. The setback request from Section 1801.2.C.1.a is illegible.
3. The orientation of the church (front) should be shown on the plan.
4. "Stadium parking" is not permitted without a variance.
5. The two-way travel lanes are of deficient width (Section 409.4.C). Variances are indicated.

Printed with Soybean Ink
on Recycled Paper

OCT-26-95 SUN 14:29 JUDY GRIER SHYLIE 410 6553775 P.02

Judy Grier Smylie, Esquire
October 18, 1995
Page 2

6. The D.R.-3.5 zone permits cemeteries by special exception or as legal non-conforming uses (special hearing). If the parking area has changed as a result of this petition plan on the cemetery parcel (232/193), additional relief may be indicated.
7. A variance appears to be needed on the southeast corner of the building to the division line (N 48 degrees 38' 00" W 10.38') that separates the property the church is on and the property that supports the cemetery.
8. Need printed title of person signing for the legal owner on the petition form.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,
Joseph C. Merrey
Joseph C. Merrey
Planner
Zoning Review

JCM:scj

Enclosure (receipt)

c: Zoning Commissioner

(410) 750-6186
(410) 523-8750
Facsimile (410) 655-3775
September 25, 1995

Dear Sir:

I am writing in support of the Petition for Zoning Variance filed by Mt. Pleasant A.M.E. Church. Mt. Pleasant is a historic African-American place of worship which has occupied the same location in Baltimore County since the mid-1800's. Unfortunately, the church was destroyed as a result of arson. The congregation is currently in the process of rebuilding on the same site.

Because of site constraints, the church has filed a petition to address two particular issues. The first is the dimensions of the rear yard. The petition seeks a rear yard of 14 feet instead of the 20 feet required by the zoning ordinance. The second issue is the acquisition of a portion of the Church's land to construct the Northwest Expressway. But for that acquisition and subsequent construction of the expressway, the Church would not need the rear yard. The second issue addressed in the petition is the on-site parking requirements. The church seeks to satisfy the requirement by the use of so called "stadium parking." The Church has been successful in securing a variance from the zoning ordinance for the parking needs of its parishioners. The arrangement was successful since an attendant was always present to assist in the parking of the guests to leave the Church. The Church has received permission from an adjacent property owner to utilize a portion of his property for overflow parking.

In light of these considerations, Mt. Pleasant A.M.E. Church requests the requested Variance be granted.

Sincerely,

Judy G. Smylie
Judy G. Smylie, Esq.
Counsel
Mt. Pleasant A.M.E. Church

PLEASE PRINT CLEARLY

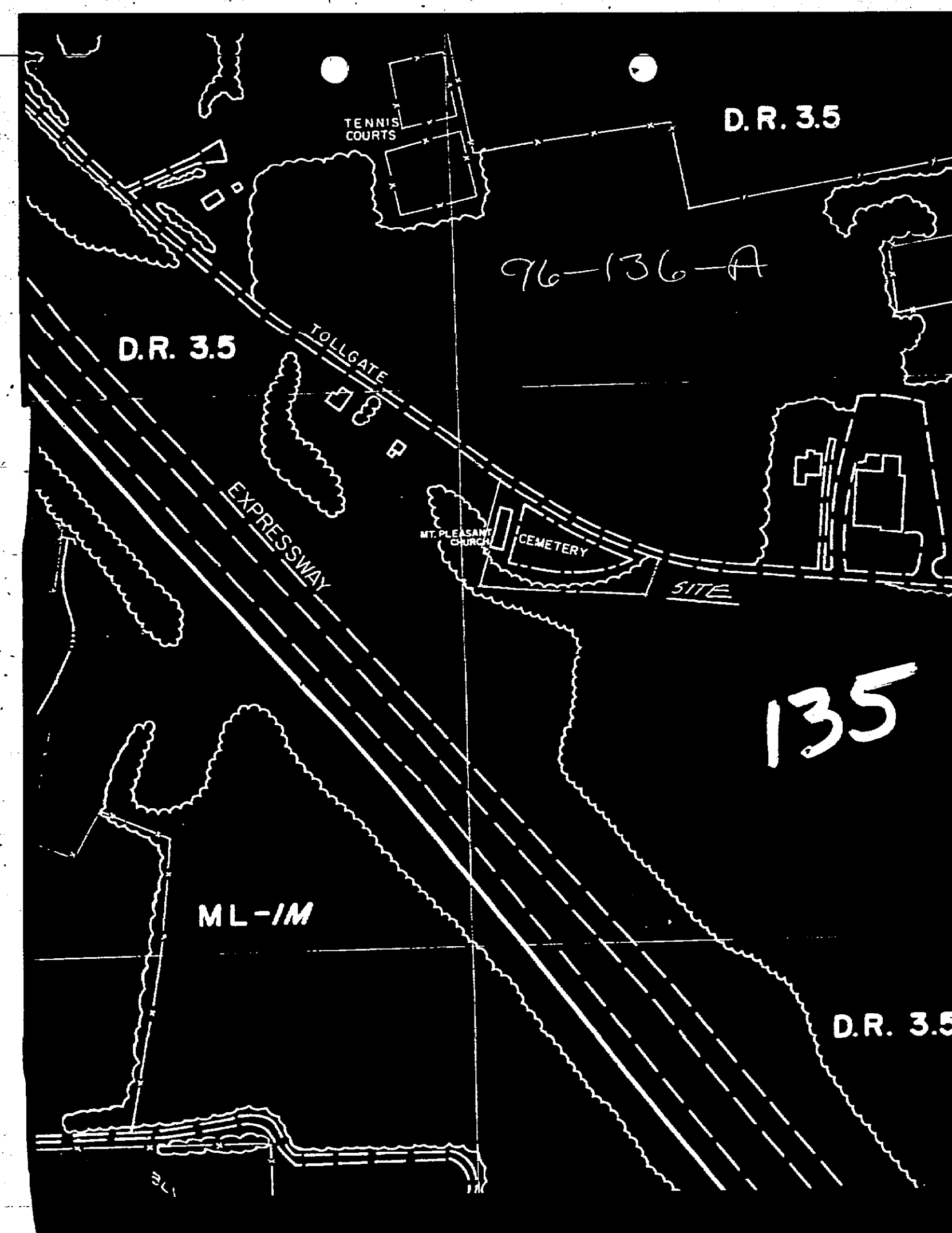
PETITIONER(S) SIGN-IN SHEET

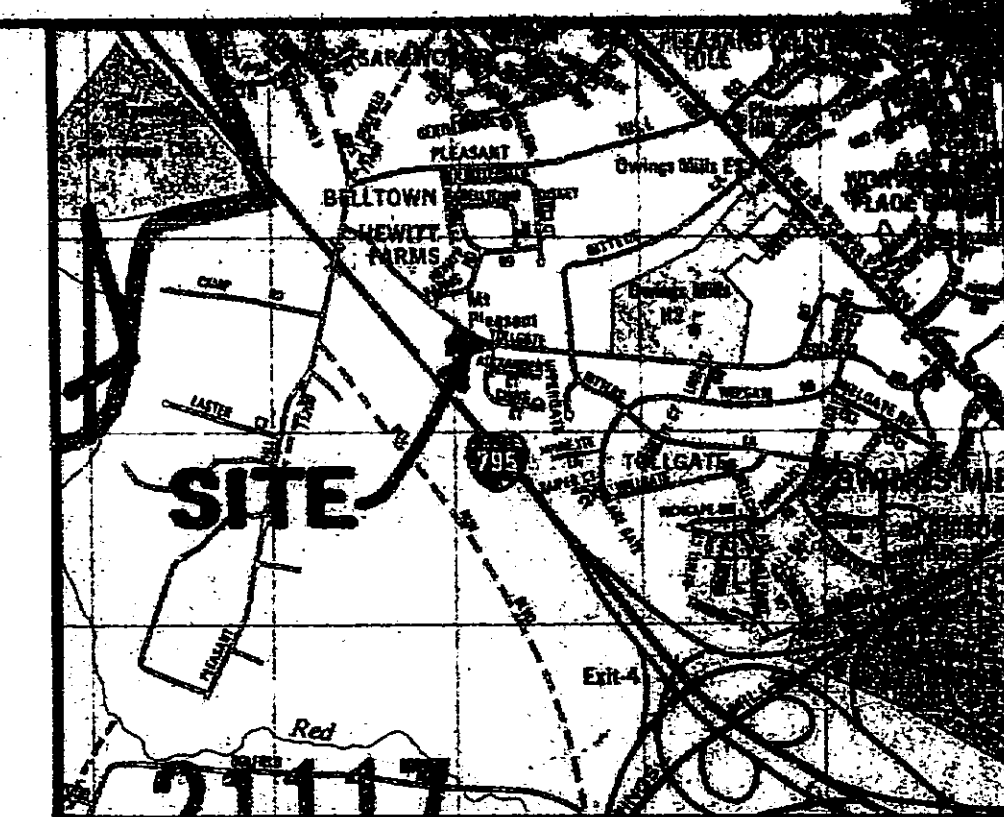
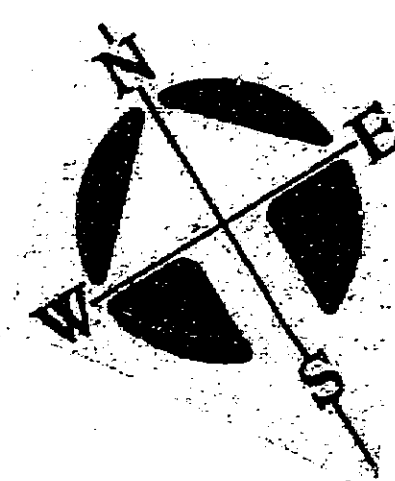
NAME

ADDRESS

Jana Libak Libart
Alberta Club Inc.
Warner, Clark
Sarah A. Thomas
Clarence W. Alper
KEN PRINCE
Leonard Johnson
REV. CHITEN SPERREAN

Winterville, N.C. ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
332 Brookberry Dr. ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
305 New Ave. ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
816 Archwood Rd ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
53 f. catfish Lane ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
PR 4 BOX 414 ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}
PLANNING OFFICE
FREDERICK CT. ^{11/18/2017} ^{11/18/2017} ^{11/18/2017}





VICINITY MAP
SCALE: 1" = 2,000'

- NOTES:
- 1) BEARINGS SHOWN REFER TO THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT, AND ARE BASED ON STATIONS X 3031 AND 3032.
 - 2) ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM - BENCH MARK X 3031 ELEV. 649.21.
 - 3) OWNER: TRUSTEES OF MT. PLEASANT A.M.E. CHURCH
REV. CLIFTON SPARROW, PASTOR
 - 4) DEED REF = 53/338, 232/193
 - 5) AREA OF PROPERTY 1.00 AC. + INCLUDING PART OF BED OF TOLLGATE ROAD
 - 6) ZONING - DR 3.5
 - 7) EXISTING USE: CHURCH AND CEMETERY
 - 8) PROPOSED USE: SAME
 - 9) PUBLIC WATER, PRIVATE SEWAGE SYSTEM
 - 10) NUMBER OF SEATS - 172
 - 11) PARKING REQUIRED - 43
 - 12) PARKING SHOWN = 29
 - 13) YARDS REQUIRED - PROVIDED
FRONT - 50 NO ADDITION IN FRONT
SIDE - 20 20.5
REAR - 30 14'
 - 14) ELECTION DISTRICT: 4
 - 15) COUNCILMANIC DIST.: 3
 - 16) CENSUS TRACT: 4041
 - 17) WATERSHED: 28
 - 18) SUBSEWERSHED: 67
 - 19) DRAINAGE AREA: GWYNN FALLS
 - 20) ADC MAP: 24 E 2
 - 21) TAX MAP 58, PARCEL 272 AND 425
 - 22) THERE ARE NO EXISTING RESIDENCES WITHIN 150 FEET OF THE OUTLINE OF THE CHURCH PROPERTY.
 - 23) THE EXISTING WATER SERVICE WILL BE USED TO PROVIDE WATER.
 - 24) TOTAL DISTURBED AREA EXCLUSIVE OF RE-BUILT CHURCH DESTROYED BY FIRE = 4,200 S.F.

TOLLGATE ROAD

CHINS COURT

CLARENCE W. GHEE & WIFE
LIBER 8701-187
FORMERLY
RANDOLPH T. TUCKER
LIBER 5722-865

CEMETERY
TRUSTEES OF MT. PLEASANT
A.M.E. CHURCH

CROSBY HILL
PARCEL 2
E.H.K. JR. 55/94
LOCAL OPEN SPACE

96-136-A

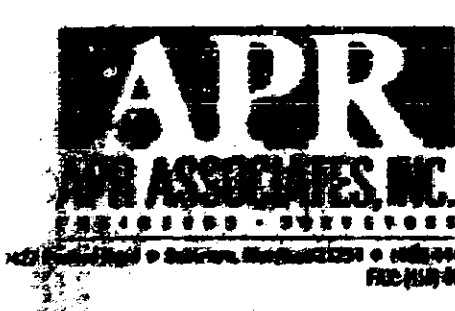
PETITIONER'S
EXHIBIT 1

135

NORTHWEST EXPRESSWAY
S.H.A. PLAT No. 48137

- VARIANCES:
1. FROM SECTION 1, 201.2014 TO PERMIT A REAR YARD OF 10 FEET INSTEAD OF THE REQUIRED 30 FEET.
 2. FROM SECTION 409.0 A4 TO PERMIT 29 PARKING SPACES INSTEAD OF THE REQUIRED 43.

9-7-95	ADDED ZONING VARIANCES	C.O.P.
7-17-95	PARKING	C.O.P.
DATE	REVISION	BY



SITE PLAN AND VARIANCE PLAT
PROPOSED ADDITION
MOUNT PLEASANT A.M.E. CHURCH
235 TOLLGATE ROAD
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' DATE: MAY 23, 1995